

1 UNITED STATES BANKRUPTCY COURT

2 EASTERN DISTRICT OF NEW YORK

3 Case No. 1-18-01122-ess

4 Adv. Case No. 1-10-50719-ess

5 - - - - - x

6 In the Matter of:

7

8 WELLS FARGO BANK, N.A.,

9

10 Debtor.

11 - - - - - x

12 OLUFUNMILAYO AJASA,

13 Plaintiff,

14 v.

15 WELLS FARGO BANK, N.A.,

16 Defendant.

17 - - - - - x

18 U.S. Bankruptcy Court

19 271-C Cadman Plaza

20 Brooklyn, New York 11201-1800

21

22 February 28, 2019

23 3:18 PM

24

25

1 B E F O R E :

2 HON ELIZABETH S. STONG

3 U.S. BANKRUPTCY JUDGE

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 Now, that's not to say that they couldn't bring a class
2 action in another district on behalf of another debtor. We
3 just --

4 THE COURT: So the idea is 94 class actions in 94
5 districts? Are we really better off?

6 MR. SHAW: We don't think it's a question,
7 frankly, of better off or efficiency, because that's not --
8 we don't think that that's the analysis. We think it's the
9 --

10 THE COURT: Well, you don't think it's subject
11 matter jurisdiction.

12 MR. SHAW: We think it is -- I'm holding the
13 subject matter jurisdiction. I think it is a --

14 THE COURT: I understand that you don't want to
15 acknowledge that it is or isn't, and we're conferencing on
16 the issues. So --

17 MR. SHAW: Right, but it --

18 THE COURT: -- both the parties and the Court can
19 reserve their respective prerogatives to ask more questions
20 and give additional answers at the appropriate time.

21 MR. SHAW: In our view, it's a matter of
22 authority. You know, in the Echevarria case, for example,
23 that we settled, we filed a motion which I'll draw a
24 reference to allow for the District Court judge to approve
25 the settlement of a nationwide class, and there were